

10021692.053002

App. Dkt. No: 10021692 CIP3
BBL 113 71409 04236

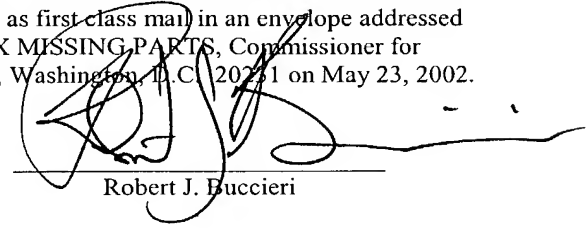
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of:)
James E. Kipp et al.)
For: METHOD FOR PREPARING)
SUBMICRON PARTICLE)
SUSPENSIONS)
Serial No.: 10/021,692)
Filed: December 12, 2001)
Examiner: Not yet assigned)
Art Unit: 1615)

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Office with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on May 23, 2002.


Robert J. Buccieri

REPLY TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION / FORMALITIES LETTER MAILED FEBRUARY 11, 2002

BOX MISSING PARTS
Commissioner for Patents
Washington D.C., 20231

Sir:

This is a reply to the Notice to File Missing Parts of Nonprovisional Application / Formalities Letter mailed February 11, 2002, with a shortened statutory response period of two (2) months from the mailing date, extended two months by Petition filed herewith. Accordingly, this reply is timely filed. A check in the amount of \$3,382 is enclosed herewith in payment of the filing fees for this application (\$2,982) and payment of the associated extension fees (\$400). The Commissioner is hereby authorized to charge any additional fees to Deposit Account number 02-1818.

Responsive to the Formalities Letter, Applicants hereby respectfully submit a replacement specification and separate drawings. With the exception of the Amendments below, and the separation of the drawing figures originally included within the specification as filed, this replacement specification is identical to the specification as originally filed on December 12, 2001. For the Examiner's convenience, in addition to the Amendments below, a marked up copy of the specification as originally filed is also enclosed. All amendments made herein are either

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
IDD-5657 CIP3

In Re Application Of: **James E. Kipp et al.**

Serial No.
10/021,692

Filing Date
December 12, 2001

Examiner
Not yet assigned

Group Art Unit
1615

Invention: **METHOD FOR PREPARING SUBMICRON PARTICLE SUSPENSIONS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
February 11, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Reply to Notice to File Missing Parts of Nonprovisional Application/Formalities Letter Mailed February 11, 2002 (8 pgs);
Replacement Specification (48 pages);
Replacement Drawings (12 sheets; 18 figures); and
Marked-up Copy of Specification as filed showing changes.

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)

Docket No.
IDD-5657 CIP3

In Re Application Of: **James E. Kopp et al.**

Serial No.
10/021,692

Filing Date
December 12, 2001

Examiner
Not yet assigned

Group Art Unit
1615

Invention: **METHOD FOR PREPARING SUBMICRON PARTICLE SUSPENSIONS**
TO THE ASSISTANT COMMISSIONER FOR PATENTS:
Box Missing Parts
☒ Completion of application fees as calculated below:

☒ Utility application filing fee **\$740.00**
☐ Design application filing fee _____

☒ Total number of independent claims = 5 **\$168.00**
☒ Total number of claims = 128 **\$1,944.00**
☐ Multiple dependent claims _____

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**
☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees **\$2,982.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: April 11, 2002 until: June 11, 2002
Date Date

Total time extension fees **\$400.00**

Total fees due **\$3,382.00**

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)

Docket No.
IDD-5657 CIP3

In Re Application Of: **James E. Kipp et al.**

MAY 30 2002

Serial No.
10/021,692

Filing Date
December 12, 2001

Examiner
Not yet assigned

Group Art Unit
1615

Invention: **METHOD FOR PREPARING SUBMICRON PARTICLE SUSPENSIONS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$3,382.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **02-1818**
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **02-1818**
A duplicate copy of this sheet is enclosed.

Joseph Fuchs
Signature

Joseph A. Fuchs, Reg. No. 34,604
BELL, BOYD & LLOYD LLC
P.O. Box 1135
Chicago, IL 60690-1135
Tel: (312) 807-4335

Dated: **May 22, 2002**

I certify that this document and fee is being deposited on **May 23, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Robert J. Buccieri
Signature of Person Mailing Correspondence

Robert J. Buccieri

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/021,692 | 12/12/2001 | James E. Kipp | IDD 5657 CIP3 |

CONFIRMATION NO. 9772

FORMALITIES LETTER



OC000000007452091

Wallenstein & Wagner, Ltd.
311 S. Wacker Drive, 53rd Floor
Chicago, IL 60606-6630

Date Mailed: 02/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2112.
 - \$1944 for 108 total claims over 20.
 - \$168 for 2 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2982.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.

*A copy of this notice **MUST** be returned with the reply.*

Haimanot Tegbarm
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE